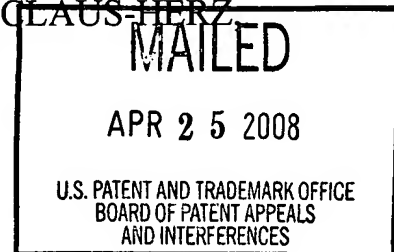


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GUNTHER BELLMANN, GUDRUN CLAUS-HERZ
and CHRISTOPH KESSLER

Application No. 10/665,937



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on March 28, 2008. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing are identified below:

Information Disclosure Statement

On January 16, 2008, an Information Disclosure Statement was filed in the present application. It is apparent from the record that the Examiner has not yet considered the submitted Information Disclosure Statement for compliance with 37 C.F.R. §§ 1.197 and 1.198.

Accordingly, it is

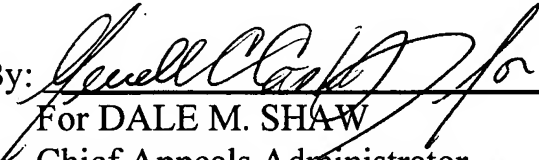
ORDERED that the application is returned to the Examiner

1) to properly consider the Information Disclosure Statement submitted to the USPTO on January 16, 2008, by either initialing the references, or by drawing a line through the references not considered;

2) to notify Appellants of the Examiner's consideration; and

3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
For DALE M. SHAW
Chief Appeals Administrator
(571) 272-9797

DMS/rwk

cc: Bausch & Lomb Incorporated
One Bausch & Lomb Place
Rochester NY 14604-2701